

**TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
GENERAL ORDINANCE NO. 2024-19**

**AN ORDINANCE REGULATING THE DISTRIBUTION OF
UNSOLICITED PRINTED MATERIAL**

WHEREAS, unsolicited materials can become the cause of rubbish strewn upon the streets and sidewalks of the Town resulting in not only a poor appearance but also in clogging stormwater inlets, placing persons and property in danger of flooding,

WHEREAS, it is necessary to update and amend the Westfield Municipal Code to address this concern; and

WHEREAS, the Town Council has found it proper to amend the language of the Code accordance therewith;

NOW, THEREFORE, BE IT THEREFORE ORDAINED by the Town Council of the Town of Westfield, in the County of Union, that Chapter 3, “Advertising and Signs,” Article 1, “In General,” Section 3-2, “Distribution, etc., of circulars, pamphlets, etc.,” shall be deleted in its entirety, and shall be replaced with the following:

§ 3-2. Distribution, etc., of circulars, pamphlets, etc.

A. It shall be unlawful for any person to deliver or deposit, or for any person, firm or corporation to cause the delivery or deposit of, any unsolicited advertising circulars, newspapers and other like-printed material to or upon any private premises within the Town, except in accordance with the terms hereof. For the purposes of this section, “unsolicited” shall mean unsolicited advertising circulars, newspapers and other like-printed material which has not been ordered, subscribed to or requested by the recipient.

B. Such unsolicited advertising circulars, newspapers and other like-printed material shall be placed on the ground or floor at the place where the premises receives its mail or within a three-foot radius of that point. The unsolicited advertising circulars, newspapers and other like-printed material shall clearly state the contact person and telephone number to whom notice may be given, requesting that such delivery of the unsolicited advertising circulars, newspapers and other like-printed material be ceased or canceled.

C. There shall be no intentional delivery of any such unsolicited printed material to the premises after the owner or tenant of such premises has notified the contact person, referred to in Subsection B hereof, that such delivery shall cease or be suspended for a stated period of time. For the purposes of condominiums or other common properties, notification must come from the individual unit owner or tenant.

D. Violations and penalties.

(1) Any person found to be in violation of the provisions of this article shall be subject to a fine as follows:

(a) First offense: \$100.

(b) Second offense: \$200.

(c) Any subsequent offense: an amount not to exceed \$500.

(2) Each day a violation continues shall be deemed a separate offense.

Section II. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

Section III. If any section, provision, or part of provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance, or any part thereof, other than the part so held unenforceable or invalid.

Section IV. This Ordinance shall take effect after passage and publication in the manner provided by law.

Notice is hereby given that the foregoing ordinance was approved for final adoption by the Town Council of the Town of Westfield at a Regular Meeting held on September 10, 2024.

Maureen Lawshe, RMC
Town Clerk